

THE WOODLANDS TOWNSHIP

Board of Directors Meeting

REGULAR BOARD MEETING

August 22, 2012

MINUTES

THE STATE OF TEXAS §

COUNTIES OF HARRIS & MONTGOMERY §

The Board of Directors Meeting of The Woodlands Township met in regular session, open to the public, on August 22, 2012, posted to begin at 6:00 PM. The meeting was held in a meeting room at the office of The Woodlands Township, Board Chambers, 2801 Technology Forest Blvd, The Woodlands, Texas, within the boundaries of The Woodlands Township.

Chairman:
Bruce Tough

Vice Chairman:
Peggy Hausman

Secretary:
Ed Robb

Treasurer:
Gordy Bunch

Directors:
Mike Bass
Nelda Luce Blair
Jeff Long

President:
Don Norrell

Staff/Advisors:
Alan Benson
Kim Cogburn
Mary Connell
Karen Dempsey
Taunya Jacques
Miles McKinney
Mike Page
John Powers
Monique Sharp
Bret Strong
Susan Welbes
Renee Williford
Nick Wolda

STANDARD ITEMS:

1. **Pledge of Allegiance:**

Chairman Tough led the Pledge of Allegiance to the United States flag and Texas State flag.

Board of Directors
Regular Board Meeting
August 22, 2012

2. **Call meeting to order;**

Chairman Tough called the meeting to order at 6:03 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouse of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2801 Technology Forest Boulevard, The Woodlands, Texas.

The roll was then called of the duly elected members of the Board with all members present. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

3. **Receive, consider and act upon adoption of the meeting agenda;**

Motion by: Peggy Hausman moved to adopt the agenda as presented.

Second by: Nelda Luce Blair

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

4. **Recognize public officials;**

No Public Officials were recognized.

5. **Public comment;**

The following individuals addressed the Board:

Paul Lazzaro-51 N. Cochran's Green Crossing-commented on operation hours for trash pick-up, construction projects, etc. and the need to establish a standardized start/end time;

Steve Leakey-38 Courtland-deferred comments until presentation of agenda item #10 regarding site clearing of commercial development tracts;

Board of Directors
Regular Board Meeting
August 22, 2012

John Risher-176 W. Shadowpoint Circle-commented that he supports moving the Directors' election date to November;

Jason Creel-22 Tranquil Glade-commented about the June 12, 2012 storm damage and Chartis Insurance Company's handling of claims;

Steve Diamanti-6 N. Slash Pine Park-commented about the June 12, 2012 storm damage and response from Chartis Insurance Company;

Anthony Fasone-54 S. Warbler Bend-commented that he is not in favor of allowing motorized scooters on pathways;

Walter Boyd-commented about sports fields

6. Receive and consider the Law Enforcement Report;

Marian Leck, Director of Law Enforcement for The Woodlands Township, provided the following report:

- No major incidents reported during Red, Hot & Blue Festival and Tax Free Week-end;
- Canine Hap was sent on eight deployments with one narcotics arrest;
- Harris County reported no major incidents;
- Two openings for Montgomery County Sheriff's Office;
- Burglaries of motor vehicles and habitation are down;
- Vacation Watch sign-ups have doubled;
- Labor Day Week-end preparations have begun;
- Family violence concerns;
- Increase in DWI

6.a. Community Policing;

See above report.

7. Receive and consider reports from Village Association Representatives;

Reports were provided by the following Village Association (VA) representatives:

Alden Bridge VA-President Steve Leakey reported that Sgt. Paul Cassidy provided a law enforcement report; Bob Dailey with the Joint Powers Agency (JPA) provided news on pending water rates; Indian Springs VA also attended the presentation; Barbara Cargill, Chair of the Texas State Board of Education, will be the guest speaker at next month's meeting; Director Bass attended meeting and addressed specific responses and replies to Alden Bridge VA's budget letter;

Cochran's Crossing VA-President Stuart Schroeder reported that a presentation from the JPA will be made at the next VA meeting regarding water rate adjustments and construction of water surface transmission lines; Fall Festival will take place on Sunday, October 21 from 1-4 p.m. at Shadowbend Park;

Board of Directors
Regular Board Meeting
August 22, 2012

Panther Creek VA-President Everett Ison reported that the baseball outing was a fun event; Sgt. Paul Cassidy gave a law enforcement report and polled the attendees on their concerns in the community; Director Bass gave a report on Township issues; reported the following resident concerns: need for more grass mowing, excessive speeds around schools and moving Directors election date from May to November;

Sterling Ridge VA-Anthony Fasone reported that the Barbeque Cook-Off will take place on September 15, 2012 at Cranebrook Park; meeting was held with CenterPoint to address concerns from residents;

College Park VA-President Ted Stanley reported that Sgt. Cassidy gave a law enforcement report; planning for Fall Festival, 3R Bazaar and Flea Market; residents have concerns regarding the decrease in Alpha & Omega hours at the Wal-Mart shopping center at highway 242

Creekside Park VA-no report

Grogan's Mill VA-no report

Indian Springs VA-no report

Note: Following the Village Association reports, Chairman Tough recognized two boy scouts from Troop 772 who were working on their Citizenship in the Community badge.

CONSENT AGENDA:

8. **Receive, consider and act upon the Consent Agenda:**
(This agenda consists of non-controversial or "housekeeping" items required by law. One motion with modifications, if applicable, approves for action, all items contained within the Consent Agenda. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request prior to a motion and vote.)

Recap of Consent Agenda Items:

- (a) Approve minutes of the July 19, 2012 Board Workshop, July 24, 2012 Special Board Budget Workshop, July 25, 2012 Special Board Meeting, July 25, 2012 Regular Board Meeting , July 25, 2012 Town Hall Meeting, July 26, 2012 Special Board Budget Workshop, July 27, 2012 Special Board Budget Workshop, July 30, 2012 Special Board Budget Workshop, and July 31, 2012 Special Board Budget Workshop for the Board of Directors of The Woodlands Township;
- (b) Approve Memoranda of Understanding with The Woodlands Lacrosse Association, the South Montgomery County YMCA , The Woodlands Rugby Football Club and The Woodlands Youth Rugby Club for athletic field use;
- (c) Approve shared access agreement with Impact Church of The Woodlands;

Board of Directors
Regular Board Meeting
August 22, 2012

- (d) Accept the Debt Service Excess Tax Collections report for the period ending July 1, 2011 through June 30, 2012;
- (e) Accept the 2012-2013 Debt Service Collection Rate report;
- (f) Authorize the President/General Manager to execute the Required Documentation of Eminent Domain Authority;
- (g) Approve purchase of twelve Self Contained Breathing Apparatus and twelve air cylinders in the amount of \$61,070.88;
- (h) Accept Montgomery County Sheriff's Office's offer to pay \$3,000 per vehicle for five used patrol cars;
- (i) Award bid to Misiano Skate Park to provide design and installation of a replacement Wheel Friendly Area at Harper's Landing Park in the amount of \$50,000;
- (j) Award bid for replacement of playground equipment to:
 - Playwell in the amount of \$54,600.02 for Acacia Park;
 - McKenna in the amount of \$55,000 for Spring Hill Park;
 - Total Recreation /Game Time in the amount of \$54,970.24 for Summer Storm Park;
 - Total Recreation/Game Time in the amount of \$29,703.05 for The Cove Park;
- (k) Award bid for renting holiday lights for Town Green Park to Spectrum Catering;
- (l) Grant San Jacinto River Authority an Access Easement for maintenance access to Bear Branch Reservoir;
- (m) Grant temporary and permanent consents to easement encroachments and permanent easements to Anadarko Realty, LLC for aerial crane, underground tiebacks and water feature construction and operations and authorize the President/General Manager to execute the agreements in connection therewith;
- (n) Select Texas Mutual Insurance Company as the Workers Compensation Insurance provider for The Woodlands Township from September 12, 2012 through September 12, 2013 at an annual cost of \$271,109;
- (o) Accept the Comprehensive Annual Financial Report (CAFR) for the year ended December 31, 2011 as recommended by the Audit Committee;

Motion by: Jeff Long moved to approve the Consent Agenda.

Second by: Peggy Hausman

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

9. **BRIEFINGS:**

10. **Discuss concerns regarding site clearing of commercial development tracts:**

Chairman Tough called on Don Norrell, President/General Manager of The Woodlands Township, to present this item. Mr. Norrell provided brief comments and then introduced Robert Heineman with The Woodlands Development Company to discuss site clearing of commercial properties in The Woodlands.

Mr. Heineman began his presentation by informing the Board that Commercial Standards have been in place since 1973. Since that time, the Standards were amended in 1999 and then most recently they were revised in 2011. Kim Hess, with Ken Anderson Architects, was then introduced. Mr. Heineman provided the Board with background information on Ms. Hess's responsibilities which include being the point person for owner applicants and submission of approved plans, educating committee members on commercial development projects, reviewing commercial property after clearing and after fencing has been placed around the site and lastly reviewing the project after work is completed.

Mr. Heineman then used a PowerPoint presentation and reviewed the following topics:

- Standards for Commercial Clearing;
- East Shore Clearing, Mitchell Island and Hughes Landing Projects;
- Eagles

Following Mr. Heineman's presentation, the Board was given the opportunity to ask questions.

Following Board discussion, Chairman Tough called on Steve Leakey to provide public comment on this item.

11. **REGULAR AGENDA:**

12. **Receive, consider and act upon the financial report:**

Board of Directors
Regular Board Meeting
August 22, 2012

Monique Sharp, Assistant General Manager of Finance and Administration for The Woodlands Township, presented The Woodlands Financial Report. The Board was referred to handout material containing the General Purpose Statement as of and for the seven months ended July 31, 2012. After a review of the combined Financial Statements and Monthly Investment Report, a report on the General Fund vs. Actual was presented. Ms. Sharp then reported on sales tax collections, hotel occupancy tax collections, and property tax collections. Board discussion followed.

Motion by: Gordy Bunch moved to accept the financial report.

Second by: Mike Bass

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

The financial report is attached hereto as Exhibit "A."

13. Recess the regular meeting of the Board of Directors;

Chairman Tough recessed the regular meeting at 7:17 p.m. in order to conduct a Public Hearing.

14. Convene and conduct a public hearing regarding the proposed 2013 Consolidated Budget and proposed 2012 ad valorem tax rate for The Woodlands Township;

Monique Sharp presented an overview of the 2013 Budget that included the following information:

- Current Financial Condition
- Consolidated Budget
- Revenues
- Expenditures
- Debt Service
- Capital Projects
- Fund Balance

Board of Directors
Regular Board Meeting
August 22, 2012

Following Ms. Sharp's presentation, Chairman Tough called for Public Comment from anyone wishing to address the Board. Individuals providing Public Comment included:

- **Tim Nutt**-commented that just because the Township has money available it doesn't mean that the money has to be spent; would like the Board to look at programs and policies and perhaps ways to stretch one more year out of some items (i.e. police vehicles, playground equipment, etc.);
- **Paul Lazzarro**-commented that it would have been nice to have handout material available on the budget presentation; asked if the Harris County portion of The Woodlands has the same sales tax and hotel tax set up;
- **Walter Boyd**-offered to serve on a sports field committee if needed;
- **Rick Thomas**-would like to see where money is being spent; would like to have more meetings in the evening so that residents who work outside The Woodlands can attend

15. Reconvene the regular meeting of the Board of Directors;

Chairman Tough reconvened the regular meeting of the Board of Directors at 7:43 p.m.

16. Receive, consider and act upon adoption of The Woodlands Township 2013 Consolidated Budget;

Motion by: Mike Bass moved to adopt The Woodlands Township 2013 Consolidated Budget as presented.

Second by: Ed Robb

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

17. Receive, consider, adopt and set by Order The Woodlands Township 2012 ad valorem tax rate for maintenance and operations and the 2012 ad valorem tax rate for debt service;

Chairman Tough called on Monique Sharp to present this item. Ms. Sharp informed the Board that two separate motions would be made regarding the Order Levying Taxes. The first motion would be to adopt and set by Order The Woodlands Township 2012 ad valorem tax rate for maintenance and

operations and the second motion would be to adopt and set by Order The Woodlands Township 2012 ad valorem tax rate for debt service.

For the year 2012, a proposed ad valorem tax of \$0.2910 per \$100 of taxable value was recommended for general revenue purposes. An additional ad valorem tax of \$0.0263 per \$100 of taxable property was set for debt service purposes which Ms. Sharp informed the Board could not be altered.

Following Ms. Sharp's presentation, the following motions were made:

Motion by: Gordy Bunch moved to alter the tax rate for maintenance and operations as recommended above. Director Bunch moved to adopt and set by Order a 2012 ad valorem tax rate of \$0.2862 on each \$100 of taxable property within the Township for maintenance and operations.

Second by: Peggy Hausman

Motion failed 3-4.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)		x	
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)		x	
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)		x	
Blair, Nelda Luce (Directors)		x	
Long, Jeff (Directors)	x		

Motion by: Jeff Long moved to adopt and set by Order a 2012 ad valorem tax rate of \$0.2910 on each \$100 of taxable property within the Township for maintenance and operations.

Second by: Nelda Luce Blair

Motion passed 5-2.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)		x	
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)		x	
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

Motion by: Nelda Luce Blair moved to adopt and set by Order a 2012 ad valorem tax rate of \$0.0263 on each \$100 of taxable property within the Township for debt service.

Board of Directors
Regular Board Meeting
August 22, 2012

Second by: Ed Robb

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

An Order Levying Taxes is attached hereto as Exhibit "B."

18. Receive, consider and act upon issues regarding Park Order 019-09 related to the prohibition of Motorized Vehicles on Pathways;

Chairman Tough called on Don Norrell to present this item. Mr. Norrell informed the Board that a proposal had been made to amend the park rules to allow battery operated scooters (Attachment "A" of an Executive Summary) that could only reach speeds of 10 mph along pathways in The Woodlands.

As discussed at the August 16, 2012 Board Workshop meeting, a Public Hearing would need to be called to discuss proposed changes to Park Order 019-09. Mr. Norrell requested that the Board provide a list of things that they would like to change so that legal counsel could prepare a draft Order prior to holding a Public Hearing.

Board discussion followed.

Motion by: Mike Bass moved to amend Park Order 019-09 to include scooters as specified in Attachment "A" of an Executive Summary.

Second by: No second was received.

Note: No further action was taken on this item.

19. Receive, consider and act upon adoption of Resolution 011-12 related to governance planning for The Woodlands Township;

Chairman Tough called on Karen Dempsey, Management Analyst for The Woodlands Township, to present this item. Ms. Dempsey provided background information related to the "Outreach Report" and "Options Report" compiled by Partners for Strategic Action (PSA).

Ms. Dempsey reported that at the August 2, 2012 special board meeting, staff was directed by the Board to prepare a Resolution regarding governance planning and then bring it back to the Board for discussion and action in August. Board discussion followed.

Mike Page, legal counsel for The Woodlands Township, was called on to clarify a motion made by Director Bass and seconded by Director Bunch. Mr. Page referred the Board to supporting materials containing a revised version of a Resolution that was originally included in the August 16, 2012 Board workshop materials. As Mr. Page explained, the revised Resolution was drafted to be simpler and less specific in wording. The revised Resolution also does not include reference to the Options Report.

Following Mr. Page's comments, the Board took action on this item.

Motion by: Mike Bass moved to adopt a revised version of Resolution 011-12 related to governance planning for The Woodlands Township.

Second by: Gordy Bunch

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

A Resolution Setting Forth Findings and Conclusions of the Board of Directors in Connection with The Woodlands Township 2012 Community Outreach and Governance Options Reports is attached hereto as Exhibit "C."

20. Receive, consider and act upon consideration of changing The Woodlands Township Board of Directors' elections from a May date to a November date;

Karen Dempsey provided background information on this item. Board discussion followed with comments focused on the pros and cons of holding the Directors' election in May versus November.

Mike Page provided information on a draft Order regarding changing the Directors' election date and adjusting terms of office for Directors. Mr. Page explained that Senate Bill 100 allows a governing body of a political subdivision, other than a county, which holds its general election on a date other than on the November uniform date to do so no later than December 31, 2012. Mr. Page informed the Board that should the Directors' election date change from May to November, the terms of office for Board members would be extended from two years to two and a half years for a one time occurrence.

Board of Directors
Regular Board Meeting
August 22, 2012

Following Mr. Page's comments, the Board took action on both changing the Directors' election date and adopting an Order in connection therewith.

Motion by: Gordy Bunch moved to hold the Directors' election in November and adopt an Order in connection therewith.

Second by: Peggy Hausman

Motion passed 4-1 with 2 abstentions.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)			x
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)			x
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)		x	
Long, Jeff (Directors)	x		

An Order Changing Directors Election Date and Adjusting Terms of Office is attached hereto as Exhibit "D."

21. **Receive, consider and act upon a request from The Woodlands Professional Firefighters Association that The Woodlands Township provide a defined benefit plan under the Texas Local Firefighters Retirement Act (TLFFRA) for qualifying employees under the Texas Local Firefighters Act (TLFFRA);**

Susan Welbes provided background information on this item. Ms. Welbes then explained that representatives of the Fire Fighters Association worked with an actuarial firm to develop proposed pension materials prior to sharing the pension proposal with the Township Board and management staff. It appeared that some of the contribution amounts included in the original actuarial assumptions exceeded the contribution amounts outlined by Ms. Welbes.

Ms. Welbes recommended that the Board authorize staff to proceed with a Request for Proposal for Actuarial Services for the proposed firefighter's pension plan in order to provide accurate data prior to having the Pension Directors develop and finalize pension plan documents with the Pension Commissioner.

Board discussion followed.

Motion by: Ed Robb moved to authorize staff to proceed with a Request for Proposal for Actuarial Services for the proposed firefighter's pension plan.

Second by: Peggy Hausman

Motion passed 5-2.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)		x	
Bass, Mike (Directors)		x	
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

22. Receive, consider and act on a Service Agreement with Alpha & Omega Mounted Security Patrol;

John Powers presented background information on this item regarding proposed 2013 Mounted Patrol hours. Bret Strong, legal counsel for The Woodlands Township, was available to clarify information related to the Mounted Patrol service agreement.

Board discussion followed.

Motion by: Nelda Luce Blair moved to accept the proposal from Alpha & Omega Mounted Security Patrol for a three year Service Agreement and authorize the President/General Manager to execute the agreement in connection therewith as contained in Attachment "F" as presented.

Second by: Ed Robb

Motion passed 6-0.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	absent		

23. Receive, consider and act upon on an award of bid for all weather turf at sports fields;

Chairman Tough called on John Powers to present this item. Mr. Powers referred the Board to handout materials regarding maintenance requirements, temperature factors and water conservation for artificial turf sports fields.

Board discussion followed with comments made regarding some previous assumptions on land availability and conveyance. It was assumed that there would be cost savings for a bigger project if the land at Site "A" (Gosling) was part of the project.

Mr. Powers remarked that there would be cost savings if the bid for the sports fields project was awarded now to allow work to begin in the fall. Mr. Powers reminded the Board that current bids were good until August 29, 2012 so discussion about postponing this item until September was not recommended. Also, one of the main reasons to begin the project now was to provide more green space for sports users for early next spring which would in turn add more hours of playing time for the various community sports leagues.

Mr. Norrell was called on to elaborate on this matter. The Board was informed that a meeting had been held with The Woodlands Development Company regarding Site "A," but it was unsure at this time if the land would be conveyed to the Township for no cost.

Following Board discussion, the following motion and second were offered.

Motion by: Nelda Luce Blair moved to award the bid to McAnany Construction, Inc. in the amount of \$3,455,158 for the installation of all-weather fields at Bear Branch Sportsfields 1, 3, 4, 5 and Alden Bridge Sportspark fields 1 and 2 using \$1,225,650 from the 2012 Capital Budget and \$2,229,508 from the 2013 Capital Budget, and authorize President/General Manager to execute a Construction Agreement in connection therewith.

Second by: Mike Bass

Note: Director Bunch offered an amendment to Director Blair's motion. Director Bunch recommended holding back some money for potential land acquisition costs and other unknowns in order to complete the project that was originally contemplated by the Board when deciding to accelerate the sportsfields project. Director Blair indicated that she would consider the amendment if there was a second. No second was offered.

The Board then voted on the original motion made by Director Blair.

Motion passed 6-1.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)		x	

Board of Directors
Regular Board Meeting
August 22, 2012

24. **Receive, consider and act upon an Interlocal Agreement between The Woodlands Township and the City of Conroe regarding the operations of the new Conroe / The Woodlands large urbanized area as created by changes to the Federal Transit Administration's Section 5307 Urbanized Area Formula Program as a result of the 2010 Census;**

Chairman Tough called on Barry Goodman, with The Goodman Corporation to present this item. Mr. Goodman informed the Board that an agreement between The Woodlands Township and City of Conroe had been made based on a "Summary of Principles."

Mr. Goodman provided a brief summary of the "principles" which in part state that The Woodlands Township and the City of Conroe will independently pursue Federal Transit Authority (FTA) direct recipient/federal grantee status and The Woodlands Township and the City of Conroe will mutually pursue "dual" designated recipient status for the Conroe/The Woodlands Urban Zone Area.

A formula will be used to calculate how Federal funding will be allocated; it will be based on two factors: population/density and transit activity which includes fixed routes and number of passengers. Almost seventy-nine percent of funds will be available to the Township and the remaining funds will be available to Conroe and other stakeholders as they evolve transit plans.

Don Norrell then addressed the Board. Mr. Norrell informed the Board that a formal agreement had not been drafted, but was expected to be finalized within a couple of weeks. The Board was offered the option of waiting to take action on an Interlocal Agreement at a special meeting in September or the Board could take action today to authorize the President/General Manager and Board Chairman to execute an Interlocal Agreement as prepared by legal counsel in accordance with the "Summary of Principles."

The Board opted to take action on this item at today's meeting. Following Board action, Chairman Tough asked Mr. Goodman if he had any final comments. Mr. Goodman remarked that the Board's actions, from his perspective, established the Board of Directors of The Woodlands Township as the governing body that will manage federal funds which will come to the area to support public transportation.

Motion by: Mike Bass moved to allow the President/General Manager of the Township and Board Chairman to execute an Interlocal Agreement with the City of Conroe, as prepared by legal counsel, that is in accordance with a Summary of Principles that is a framework for the Interlocal Agreement.

Second by: Jeff Long

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		

Board of Directors
Regular Board Meeting
August 22, 2012

Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

A copy of the "Summary of Principles" is attached hereto as Exhibit "E."

25. Receive, consider and act upon any actions that may be required for The Woodlands Township to complete the filing process for Federal Direct Recipient/Grantee Status in accordance with changes to the Federal Transit Administration's Section 5307 as a result of the 2010 census;

Mike Page presented this item. Mr. Page reviewed the actions that the Board authorized on July 25, 2012 which were then incorporated in a Resolution. Following Mr. Page's comments, the Board took the following action.

Motion by: Jeff Long moved to adopt a Resolution of the Board of Directors of The Woodlands Township Requesting Recognition of The Woodlands Township as a Designated Recipient for Federal Transit Administration Funding for the Conroe/Woodlands Urbanized Area, Pursuant to Section 49 U.S.C. Section 5307(2)(a); Agreeing to Accept the City of Conroe, Texas as a Dual Designated Recipient; and Authorizing the President/General Manager to File Documentation in Support of this Resolution; Providing for Immediate Effect Upon Passage and Other Related Matters.

Second by: Nelda Luce Blair

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

The above-mentioned Resolution is attached hereto as Exhibit "F."

26. Receive, consider and act upon establishing a date for a Board of Directors' Planning Retreat;

Chairman Tough called on Don Norrell to present this item. Mr. Norrell informed the Board that following the November 8, 2012 Board workshop meeting, the Board would adjourn its meeting at the

Board of Directors
Regular Board Meeting
August 22, 2012

Board Chambers and then move to the Marriott Hotel and Convention Center for the Board of Directors' Planning Retreat. Lunch will be provided and the planning retreat will take place from noon to 4 p.m.

Board discussion followed. The Board was also informed that the meeting will be video recorded.

Motion by: Nelda Luce Blair moved to approve the Township Board of Directors' Planning Retreat to be held on Thursday, November 8, 2012 at the Marriott Hotel and Convention Center from noon to 4 p.m.

Second by: Jeff Long

Motion passed unanimously.

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

Note: The Board took action on item #27 after reconvening in Public Session.

CLOSED MEETING (if applicable):

28. **Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney pursuant to §551.071, Texas Government Code;**

The Board recessed to Executive Session at 9:16 p.m.

29. **Reconvene in Public Session;**

The Board reconvened in Public Session at 9:19 p.m. Chairman Tough announced that it would be necessary to take action at this time on items discussed in Executive Session.

27. **Receive, consider and act upon an amendment to the Township office space lease at 10001 Woodloch Forest Drive;**

Motion by: Nelda Luce Blair moved that the Township enter into a lease termination agreement on mutually agreeable terms and authorize the President/General Manager to sign the agreement.

Second by: Jeff Long

Board of Directors
Regular Board Meeting
August 22, 2012

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		

DISCUSS FUTURE AGENDA / ANNOUNCEMENTS:

30. Consideration of items to be placed on the agenda for next month's meeting;

Director Bunch-requested that additional amenities (benches, tables, water fountains, etc.) be added to sports field renovations; would like an update on bike paths;

Director Bass-would like the Board to discuss whether or not the Board should move its evening meeting to 7 p.m.; would like to see that CenterPoint comes back in six weeks with an action plan regarding power outages;

Director Robb-would like the Board to take a look at operation rules for such things as Public Comment;

Director Blair-would like to broaden the scope of Director Robb's request to include looking at restructuring the Board's workshop meetings.

31. Board announcements;

There were no announcements.

32. Public comment, and;

The following individual provided Public Comment:

Ted Stanley-thanked Director Bunch for having the courage to lower property taxes; voiced that he was not happy that the Board voted to extend their terms by six months.

33. Adjournment.

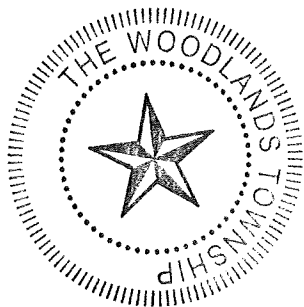
Motion by: Nelda Luce Blair moved to adjourn the meeting at 9:28 p.m.


Second by: Gordy Bunch

Motion passed unanimously.

Board of Directors
Regular Board Meeting
August 22, 2012

Directors	YES	NO	ABSTAIN
Tough, Bruce (Chairman)	x		
Hausman, Peggy (Vice Chairman)	x		
Robb, Ed (Secretary)	x		
Bunch, Gordy (Treasurer)	x		
Bass, Mike (Directors)	x		
Blair, Nelda Luce (Directors)	x		
Long, Jeff (Directors)	x		





 Ed Robb
 Secretary, Board of Directors

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

EXHIBIT "D"

EXHIBIT "E"

EXHIBIT "F"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**